IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

and
HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION NO : 10284 of 2004

Between:

Syed Salem, s/o Late Syed Khwaja,
R/o H.No. 13-4-372, Subzimandi, Hyderabad

..... PETITIONER

AND

1 Government of Andhra Pradesh, Municipal Administration Department,
Secretariat, Hyderabad, rep. by its Principal Secretary.
2 The Commissioner , Municipal Corporation of Hyderabad, Tank Bund Road, Hyderabad.
3 The Commissioner of Police, Basheerbagh, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ of mandamus or any other appropriate writ or direction declaring the action of the respondents 1 to 3 in not stopping the illegal slaughtering and sale of sheep and goat meat in Jiaguda, Hyderabad and other places of twin cities as illegal arbitrary.

Counsel for the Petitioner:MR.O.MANOHER REDDY

Counsel for the Respondent No.1 : GP FOR MUNICIPAL ADMINISTRATION.

Counsel for the respondent No.2: Mr. Ghanta Rama Rao, SC for MCH.

Counsel for the respondent No.3: GP for Home.

The Court made the following :

ORAL ORDER:

(Per Hon'ble The Chief Justice)

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1 . One Syed Saleem has filed this writ petition purported to be in public interest alleging that despite the fact that in compliance with the directions of this court modern abattoir has been constructed and commissioned at Chengicherla, still illegal slaughtering is in vogue in twin cities and large scale illegal slaughtering of sheep and goat is being continued in and around the erstwhile slaughterhouses. It is also alleged that general public is visiting illegal slaughterhouses for purchase of meat. Thus direction is sought against the respondents for stoppage of illegal slaughtering and sale of sheep and goat meat in Jiaguda, Hyderabad, and other places of twin cities.

2. Respondent No.3 is Commissioner of Police, Hyderabad. On his behalf, an affidavit is filed by Sri B.V. Ratnam, Inspector of Police, Kulsumpura Police Station, Hyderabad, denying the allegations made by the petitioner.

3. Affidavit in reply has also been filed on behalf of 2nd respondent by Sri P.Venkateshwar Reddy, Chief Veterinary Officer, Municipal Corporation of Hyderabad, Hyderabad, stating that after modern abattoir was commissioned at Chengicherla with effect from 01.01.2004, some illegal slaughtering within the city was noticed and strict vigil is being kept by the Municipal employees who are assigned this task. Number of cases were booked under Sections 521, 539, 548 and 596 of Hyderabad Municipal Corporation Act and preventive steps to prevent illegal slaughtering have been taken. Flying squad seized meat and beef as also some skins from persons who committed the crime, but such persons were also prosecuted and fine of Rs.68002=00 was collected from those persons.

4. Petitioner has also filed further affidavit stating that prior to shifting of the slaughterhouses from the twin cities, about 5,000 to 6,000 goats were slaughted in various slaughterhouses, and after commissioning of the modern abattoir, less than one thousand sheep and goats were slaughted per day. Therefore, presumably remaining slaughtering of sheep and goats is taking place in various parts of the city. Therefore, direction deserves to be issued to the respondents to take appropriate measures for stoppage of illegal slaughtering.

5. As per the directions issued by this court in earlier writ petitions, steps were required to be taken by municipal authorities for shifting of all slaughterhouses from city and to establish a modern abattoir, which has since been established and commissioned, and there is no reason why adequate measures should not be taken by 2nd respondent for ensuring that no illegal

slaughtering takes place and in case large scale of people are still accustomed to go to places of slaughterhouses, it is high time that people must also be educated not to encourage illegal slaughtering. For that ways and means have to be found out by 2nd respondent, firstly by notifying to general public that slaughterhouses within the twin cities have been closed and modern abattoir has been constructed at Chengicherla and slaughtering which is taking place in twin cities is illegal and in the interest of general public not to purchase meat from the slaughterhouses where illegal slaughtering is taking place. Respondent No.2 has to gear up its machinery that strict action is taken in accordance with law against those who are indulging in slaughtering in twin cities and in case illegal slaughtering is continuing to take place, whatever steps as are permissible in law be taken to stop such illegal slaughtering and in case respondent No.2 would feel handicapped in approaching certain areas because of law and order situation, there is no manner of doubt that respondent No.2 should take necessary help from respondent No.3 and in case such help is sought for by 2nd respondent, there is no reason why the 3rd respondent will not come forward and render such assistance to ensure that illegal slaughtering does not take place in twin cities. We will leave it open to the petitioner that as and when it comes to his notice or to anybody's notice that illegal slaughtering is taking place at one particular place, the Chief Veterinary Officer may be notified of the same and in case such information is received by the Chief Veterinary Officer, prompt steps should be taken to carry out inspection and to see that illegal slaughtering of animals is curtailed and appropriate proceedings are taken out against such persons for violating the law.

6. With the above observations, we close the writ petition. No costs.

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DEVINDER GUPTA. C.J.,

C.V. RAMULU. J.,

Dated: 13.09.2004.

VRK.

To

1 The Principal Secretary to Government, Municipal Administration Department,
Secretariat, Hyderabad.
2 The Commissioner , Municipal Corporation of Hyderabad, Tank Bund Road, Hyderabad.
3 The Commissioner of Police, Basheerbagh, Hyderabad.

4. The Officer concerned, Public Interest Litigation Cell, High Court Buildings, Hyderabad.

5. The Secretary, A.P. State Legal Aid & Advisory Board, High Court Buildings, Hyderabad.

6. The Secretary to Government of A.P., Home Department, Secretariat, Hyderabad.

7. Two CCs to G.P. for Municipal Administration, High Court buildings, Hyderabad (OUT).

8. Two CCs to G.P. for Home, High Court buildings, Hyderabad (OUT).

9. Two CD copies.

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

AND

HON'BLE SRI JUSTICE C.V. RAMULU.

W.P.NO. 10284 OF 2004.

(Order of the Bench delivered by

Hon'ble The Chief Justice)

Dt: 13.09.2004.